



### REMARKS

This is a full and timely response to the outstanding Office Action mailed on April 22, 2005 (Paper No. 20050404). Claims 1-18 and 68-78 are pending in the present Application. Reconsideration and allowance of the Application and presently pending claims are respectfully requested in view of the following remarks. Applicants should not be presumed to agree with any statements made by the Examiner in the Office Action unless otherwise specifically indicated by Applicants. Any statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known since the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

#### I. Claim Objection

Claim 68 stands objected to because of informalities. Applicants have amended the claim to overcome the objection. Applicants respectfully request that the objection be withdrawn.

#### II. Claim Rejections Under 35 U.S.C. §102

Claims 1-18 and 68-78 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,266,814 to *Lemmons, et al.*

A proper rejection of a claim under 35 U.S.C. §102 requires that a single prior art reference disclose each element of the claim. *See, e.g., W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303, 313 (Fed. Cir. 1983).

##### A. Claim 1

Claim 1, as amended, recites:

1. A television set-top terminal (STT) for enabling a user to navigate to an individual television service, said STT coupled to a programmable television services server device, said STT comprising:  
memory for storing data;

an interactive program guide contained in said memory for displaying program information received by said STT from said server device, said program information corresponding to a plurality of current and future programs;

a plurality of guide arrangements corresponding to respective display-orderings of the program information, each guide arrangement ordering displayed program information based on at least one program parameter, the ordering of the program information in each guide arrangement being different than the other guide arrangements;

a processor configured to display simultaneously in each guide arrangement only a respective portion of the corresponding ordered program information;

configuration information contained in said memory, said configuration information comprising:

a plurality of respective initial guide arrangements corresponding to the plurality of guide arrangements;

a selection indication that denotes one of said plurality of initial guide arrangements as a selected initial guide arrangement, *the selected initial guide arrangement being a default each time the interactive program guide is activated*; and

an initial respective portion of the corresponding ordered program information in said selected initial guide arrangement being configured according to a user selection;

wherein the processor is further configured to cause said STT to initially display said program information according to said selected initial guide arrangement and said initial respective portion of the corresponding ordered program information, said processor responsive to a first user input corresponding to an initiation of a display session of said interactive program guide and said configuration information.

(Emphasis Added)

Applicants respectfully submit that *Lemmons* does not disclose or suggest the feature of “the selected initial guide arrangement being a default each time the interactive program guide is activated,” as recited in claim 1. In fact, *Lemmons* discloses a “quickmenu 116 [that] contains a plurality of menu choices which allow the viewer to control the operation of the interactive program guide.” (Col. 9, lines 25-27). *Lemmons* further discloses as follows:

The menu choices available in the quickmenu 116 can be broadly categorized into two groups. The first group of choices provides the viewer with shortcuts for navigating in the Program Guide display mode. In the preferred embodiment, there are three shortcut choices or “navigation points” referred to as “Hot Picks,” “What’s On” and “Prime Time.” Selection of a navigation point

from the quickmenu 116 simply results in a change in the data displayed in the screen 100 without changing the display mode (i.e., the display mode remains Program Guide). The second group of choices are used by the viewer to select from among the plurality of display modes used in the interactive program guide. In the preferred embodiment, the display mode choices are "Program Guide," "Program Search," "Day To View" and "Favorite Channel."

(Col. 9, line 60 - col. 10, line 7)

It appears that the *Lemmons* menu choices could only be selected through a *Lemmons* quickmenu, which is invoked "by pressing the Guide key on the remote control 78 (FIG. 2)" or "by pressing the Menu key on the remote control 78 (FIG. 2)." (Col. 9, lines 19-25). Consequently, *Lemmons* does not disclose or suggest the feature of "the selected initial guide arrangement being a default each time the interactive program guide is activated," as recited in claim 1. Thus, a *prima facie* case of anticipation is not established based on *Lemmons*. Consequently, for at least this reason, among others, Applicants respectfully request that claim 1 be allowed and the rejection be withdrawn.

#### B. Claim 68

Claim 68, as amended, recites:

68. A television set-top terminal (STT) for enabling a user to navigate to an individual television service, said STT coupled to a programmable television services server device, said STT comprising:

memory for storing data;

an interactive program guide contained in said memory for displaying program information received by said STT from said server device, said program information corresponding to a plurality of current and future programs;

a plurality of guide arrangements corresponding to respective display-orderings of the program information, each guide arrangement ordering displayed program information based on at least one program parameter, the ordering of the program information in each guide arrangement being different than the other guide arrangements;

configuration information contained in said memory, said configuration information comprising a plurality of respective

initial guide arrangements corresponding to the plurality of guide arrangements; and

a processor configured to cause said STT to initially provide a user option to select one of said plurality of initial guide arrangements, said processor responsive to a first user input corresponding to an initiation of a display session of said interactive program guide, said processor being further configured to receive a second input corresponding to a user-selected initial guide arrangement enabling user navigation in the initiated display session of said interactive program guide, ***the user-selected initial guide arrangement being a default initial view each time the interactive program guide is activated.***

(Emphasis Added)

As mentioned above, it appears that the *Lemmons* menu choices could only be selected through a *Lemmons* quickmenu, which is invoked “by pressing the Guide key on the remote control 78 (FIG. 2)” or “by pressing the Menu key on the remote control 78 (FIG. 2).” (Col. 9, lines 19-25). Consequently, *Lemmons* does not disclose or suggest the feature of “the user-selected initial guide arrangement being a default initial view each time the interactive program guide is activated,” as recited in claim 68. Thus, a *prima facie* case of anticipation is not established based on *Lemmons*. Consequently, for at least this reason, among others, Applicants respectfully request that claim 68 be allowed and the rejection be withdrawn.

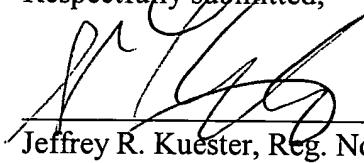
C. Dependent Claims 2-18 and 69-78

Because independent claims 1 and 68 are allowable over the cited art of record, dependent claims 2-18 and 69-78 are allowable as a matter of law for at least the reason that dependent claims 2-18 and 69-78 contain all features and elements of their respective independent base claims. *See, e.g., In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Accordingly, the rejection to dependent claims 2-18 and 69-78 should be withdrawn for at least this reason, among others.

**CONCLUSION**

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 1-18 and 68-78 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



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